

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

February 23, 2006

DIVISION ONE

B179827 People (Not for Publication)
v.
Lundie

The appeal is dismissed.

Mallano, Acting P.J.

I concur: Rothschild, J.

I concur in the judgment only: Vogel (Miriam A.), J.

B183099 People (Not for Publication)
v.
Cornelius Wesley Price

The judgment is affirmed.

Mallano, Acting P.J.

I concur: Rothschild, J.

I concur in judgment only: Vogel (Miriam A.), J.

B182507 People (Not for Publication)
v.
Dirrye Laqvence Caldwell

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Mallano, J.

DIVISION ONE (Continued)

B180896 Bush (Not for Publication)
v.
Twin Auto Sales et al.

The order granting a new trial is reversed, and the cause is remanded to the trial court with directions (1) to consider the motion for judgment notwithstanding the verdict on the claims asserted in the cross-complaint, (2) to set the case for retrial of the three unresolved claims asserted in the complaint, and (3) to make such other orders as are necessary and appropriate. The parties are to pay their own costs of appeal.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Rothschild, J.

B187759 Marissa H. (Not for Publication)
v.
Superior Court, Los Angeles County
(Los Angeles County Department of Children
and Family Services, r.p.i.)

Petition for an extraordinary writ is denied. This decision is final in this court immediately. (Cal. Rules of Court, rule 24(b)(2)(A).)

Mallano, Acting P.J.

I concur: Rothschild, J.
I concur in judgment only: Vogel (Miriam A.), J.

February 23, 2006 (Continued)

DIVISION ONE (Continued)

B177279 People (Not for Publication)
v.
Damon D. Flores, Jr., et al.

The judgments are reversed with respect to count 3 (shooting at an inhabited dwelling), and the matter is remanded for resentencing. In all other respects, the judgments are affirmed.

Mallano, Acting P.J.

I concur: Rothschild, J.
I concur in judgment only: Vogel (Miriam A.), J.

DIVISION TWO

Court convened at 9:00 a.m.

Present: Boren, P.J., Doi Todd, J., Ashmann-Gerst, J., Chavez, J. and Joyce Hatter, Deputy Clerk.

Each of the following:

B181955	People v. Delgado
B184075	People v. Guzman
B181118	People v. Villanueva
B179865	People v. Flores
B180443	People v. Joe L.
B182897	People v. Chiffonce P.
B181335	People v. Justin G.
B184862	In re: Mehrnaz F.
B182236	In re: Jessica W.
B184076	In re: Andrea S.
B185280	In re: Emorea S.
B182961	In re: Brittney C.
B187891	Manuel O. v. SCLA; DCFS

Argument waived, cause submitted.

DIVISION TWO (Continued)

B180225 Bhagwager
 v.
 City of Los Angeles et al.

Merits:
Argued by Michael J. Waddington for appellant and by Lisa S. Berger,
Deputy City Attorney for respondents. Cause submitted.

B180385 Gabric
 v.
 Fields et al.

Merits:
Argued by Robert B. Parsons for appellant; no appearance by counsel for
respondent Fields; counsel for Family Financial Group waived oral
argument. Cause submitted.

Court recessed.

Court reconvened at 12:55 p.m.

Present: Boren, P.J., Doi Todd, J., Ashmann-Gerst, J., Chavez, J. and Joyce Hatter,
Deputy Clerk.

B183531 Los Angeles County, D.C.S.
 v.
 M.B. et al.

Merits:
Argued by Sharon Rollo for appellant M.C., and by Arezoo Pichvai,
Deputy County Counsel for respondent. No appearance by counsel for
appellant H.B. Cause submitted.

DIVISION TWO (Continued)

B183254 People
 v.
 Peterson

Merits:
Argued by Leonard J. Klaif for appellant and by Catherine O. Kohm,
Deputy Attorney General for respondent. Cause submitted.

B180555 Ramirez
 v.
 Southern California Edison

Merits:
Argued by Jerry Kaplan for appellant and by Robert Suttle for respondent.
Cause submitted.

B184389 Los Angeles County, D.C.S.
 v.
 E.T.

Merits:
Argued by Aida Aslanian for Defendant and by Frank DaVanzo, Deputy
County Counsel for respondent. Cause submitted.

B184515 Ray
 v.
 City of Los Angeles et al.

Merits:
Argued by Peter R. Dion-Kindem for appellant and by Gerald M. Sato,
Deputy City Attorney for respondents. Cause submitted.

DIVISION TWO (Continued)

B178880 Levy et al.
v.
Alexander et al.

Merits:

Argued by Grant K. Riley for appellants Levy et al, and by Stephen A. DiGiuseppe for appellants Alexander et al.. Cause submitted.

B176525 Santana
v.
County of Los Angeles et al

Merits:

Argued by Thomas E. Beck for appellant; by Lillie Hsu for respondent County of Los Angeles, et al.; and by William S. Loomis for respondent Dillon. Cause submitted.

Court adjourned.

B178960 People v. Knocke (Not for Publication)

The judgment is affirmed.

Boren, P.J.

We concur: Doi Todd, J.
 Ashmann-Gerst, J.

February 23, 2006 (Continued)

DIVISION THREE

B179315 People (Not for Publication)
v.
Edward Haughton

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

B180039 Theodore Camizzi and Rhode Camizzi
v.
Prc-De Soto International, Inc.

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION FOUR

[illegible]

The judgment is modified to strike the parole revocation fine imposed pursuant to section 1202.45. As so modified, the judgment is affirmed. The trial court shall send a corrected abstract of judgment to the Department of Corrections. The petition for habeas corpus is denied.

Curry, J.

We concur: Epstein, P.J.
Willhite, J.

February 23, 2006 (Continued)

DIVISION FOUR (Continued)

[illegible]

The judgment is reversed.

Curry, Acting P.J.

We concur: Willhite, J.
Hastings, J. (Assigned)

B178182 People (Not for Publication)
v.
Blanco

The judgment is affirmed.

Curry, Acting P.J.

We concur: Willhite, J.
Hastings, J. (Assigned)

B181897 People (Not for Publication)
v.
Octavio Zavala
Harco Insurance Company

The order denying the time extension is affirmed. Costs on appeal are awarded to respondent the People.

Hastings, J. (Assigned)

We concur: Epstein, P.J.
Willhite, J.

February 23, 2006 (Continued)

DIVISION FOUR (Continued)

B171993 Hassanally (Not for Publication)
v.
Manning Ridell, LLC, et al.

The judgment and orders of the trial court are affirmed.

Curry, Acting P.J.

We concur: Willhite, J.
Hastings, J. (Assigned)

B181943 Anna B. (Not for Publication)
v.
County of Los Angeles

The judgment is affirmed.

Curry, Acting P.J.

We concur: Willhite, J.
Hastings, J. (Assigned)

B180755 Fredericks (Not for Publication)
v.
Maya Steel Fabrications, Inc.

The judgment is affirmed. Respondent shall have its costs on appeal.

Hastings, J. (Assigned)

We concur: Curry, Acting P.J.
Willhite, J.

DIVISION FIVE

B182143 People (Not for Publication)
v.
Gerald Gregory Gentry

The judgment is affirmed.

Turner, P.J.

We concur: Armstrong, J.
 Mosk, J.

B187470 People (Not for Publication)
v.
Anthony Garibay Almeida

The appeal is dismissed.

Turner, P.J.

We concur: Armstrong, J.
Kriegler, J.

B179028 Magda Benavides (Certified for Partial Publication)
v.
State Farm General Insurance Company
Lisa Haley

The judgment in favor of defendant, Lisa Haley, and against plaintiff, Magda Benavides, is affirmed. The judgment in favor of plaintiff and against defendant, State Farm General Insurance Company, is reversed. Defendants are to recover their costs on appeal from plaintiff.

Turner, P.J.

I concur: Kriegler, J.
I concur: Mosk, J. (opinion)

February 23, 2006 (Continued)

DIVISION FIVE (Continued)

B186269 People (Not for Publication)
v.
Elwood Mitchell

The appeal is dismissed.

Turner, P.J.

We concur: Mosk, J.
Kriegler, J.

B180924 People (Not for Publication)
v.
Benjamin Williams

The judgment is affirmed.

Mosk, J.

We concur: Turner, P.J.
 Kriegler, J.

B181020 People (Not for Publication)
v.
Joaquin S. Reyes

The judgment is affirmed.

Turner, P.J.

We concur: Armstrong, J.
Kriegler, J.

February 23, 2006 (Continued)

DIVISION SIX

B183754 Swanson (Not for Publication)
v.
Swanson

The judgment is affirmed. Costs on appeal are awarded to Father.

Coffee, J.

We concur: Gilbert, P.J.
Yegan, J.

B182592 People (Not for Publication)
v.
Jahaziel V.

The judgment is reversed.

Gilbert, P.J.

We concur: Coffee, J.
Perren, J.

B179222 Keshavarzi et al., (Not for Publication)
v.
Vintage Communities, Inc.

The judgment is reversed. Costs on appeal are awarded to appellants.

Coffee, J.

We concur: Gilbert, P.J.
Yegan, J.

DIVISION SIX (Continued)

B181222 People (Not for Publication)
v.
Glenn

Appellant's conviction for possessing cocaine base for sale is conditionally reversed. On remand, the prosecution may retry appellant on the possession for sale charge within 60 days of the filing of the remittitur in the trial court. (Pen. Code, § 1382, subd. (a)(2).) If the prosecution declines to do so, the trial court shall (1) treat the remittitur as a modification of the judgment to reflect a conviction of simple possession of cocaine base under Health and Safety Code section 11350, subdivision (a); (2) hold a new sentencing hearing; and (3) prepare a modified abstract of judgment and forward a copy to the Department of Corrections. Appellant shall have the right to be personally present at any hearing for resentencing unless his personal presence is waived.

Coffee, J.

We concur: Yegan, Acting P.J.
Perren, J.

B175149 Dunn (Certified for Publication)
v.
County of Santa Barbara

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION SEVEN

B185850 Kim
v.
Superior Court, Los Angeles County
(People, r.p.i.)

Filed order modifying opinion. (No change in the judgment)

February 23, 2006 (Continued)

DIVISION EIGHT

B173169 People (Not for Publication)
v.
Presley

The judgment is affirmed.

Cooper, P.J.

We concur: Boland, J.
Flier, J.